



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/898,986

07/03/2001

Shunpei Yamazaki

07977/163003/US3375D1D1

3065

26171

7590

12/22/2004

FISH & RICHARDSON P.C.

1425 K STREET, N.W.

11TH FLOOR

WASHINGTON, DC 20005-3500

EXAMINER

SCHILLINGER, LAURA M

ART UNIT

PAPER NUMBER

2813

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

William G. Hughes, Jr. Esquire
Fish & Richardson P.C.
1425 K Street, N.W., 11th Floor
Washington, DC 20005-3500

DEC 20 2004

In re Application of Yamazaki et al.	:	
Application Number : 09/898,986	:	DECISION ON
Filed: July 3, 2001	:	PETITION TO
Attorney Docket Number: 07977-163003	:	WITHDRAW
For: SEMICONDUCTOR DEVICE AND	:	ABANDONMENT
METHOD OF MANUFACTURING THE SAME	:	

This decision is in response to petitioner's "PETITION UNDER 37 C.F.R. § 1.181 TO REVIVE UNAVOIDABLY ABANDONED APPLICATION" filed 18 December 2003 and resubmitted 20 July 2004, to invoke the supervisory authority of the Director of the USPTO to review the action of the examiner in the above-identified application. The petition is before the Director of Technology Center 2800 for review.

The petition is **GRANTED** to the extent indicated below.

The petitioner received an Advisory Action from the Office on July 23, 2003. A pursuant telephone interview with the examiner resulted in a decision to further review the merits of the outstanding Office Action. The application was unavailable to the examiner during the file electronic conversion process. A Notice of Abandonment was issued for the application on November 26, 2003 when the application resurfaced. Although the petitioner is responsible for maintaining the status of the application, no dialogue could be held because of the unavailability of the application. The petitioner despite his diligence was not afforded the opportunity to address the merits of the application in a timely manner.

Sharon A. Gibson, Director
Technology Center 2800 – Semiconductors, Electrical and
Optical Systems and Components